

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

The ESTATE of PHILLIP BIVENS; the ESTATE of)
LARRY RUFFIN; the ESTATE of BOBBY RAY)
DIXON; LATURAS SMITH; and CARRIE)
STRONG,)
Plaintiffs,)
FORREST COUNTY; CITY OF HATTIESBURG;)
Hattiesburg Police Officer RAYMOND HOWELL;)
Forrest County Sheriff GENE WALTERS; Forrest)
County Sheriff's Deputies JOE HOPSTEIN,)
HERBERT HART, TERRY MARTIN, and HENRY)
“RED” BROWN; Forrest County Regional Jail)
Complex Guards WAYNE R. TAYLOR and JIM)
ERWIN; the ESTATE of EARNEST “ARLON”)
MOULDS; the ESTATE of LARRY JAMES; the)
ESTATE of R.E. “EDDIE” CLARK; and JOHN and)
JANE DOE Officers and Supervisors,)
Defendants.)

)

PLAINTIFFS’ SUPPLEMENT TO THE RULE 7(a) SCHULTEA REPLY

Plaintiffs hereby incorporate by reference ¶¶ 1–259 of their Second Amended Complaint and Jury Demand, D.E. 61, and ¶¶ 2–113 of their Rule 7(a) *Schultea* Reply, D.E. 165. As brief background for the following allegations, Plaintiffs alleged in ¶ 71 of their Rule 7(a) *Schultea* Reply, D.E. 165, members of the Task Force or officers assisting it arrested Bobby Ray Dixon on a false charge of missing a work detail in September of 1980. Plaintiffs further allege as follows:

**DEFENDANTS’ HOPSTEIN, BROWN, AND HOWELL’S REPEATED
PHYSICAL ASSAULTS ON BOBBY RAY DIXON**

114. While Bobby Ray Dixon was held at the Forrest County Regional Jail Complex, Defendants Joe Hopstein, Henry “Red” Brown, and Raymond Howell, among others, repeatedly took Mr. Dixon from his cell.

115. Defendants Hopstein, Brown, and Howell, among others, repeatedly beat Mr. Dixon.

116. As members of the Task Force or officers directly assisting it and following the pattern of their conduct with Larry Ruffin, Deputies Brown, Hopstein, and Howell, among others, participated in the persistent physical and verbal abuse of Mr. Dixon and the crowding, swarming, and cajoling insistence that Mr. Dixon assisted Mr. Ruffin and a third man Phillip Bivens in the rape and murder of E.P.

117. After an extended period of confusing and escalating coercive treatment, members of the Task Force or officers directly assisting it—specifically including Defendants Hopstein, Brown, and Howell, among others—overbore Mr. Dixon’s will and he acquiesced.

**DEFENDANTS BRAG ABOUT BEATING LARRY RUFFIN
AND BOBBY RAY DIXON INTO CONFESSING**

118. After beating Larry Ruffin, Defendants Hopstein, Brown, Howell, and the other deputies would assemble in the jail’s control room. As they lounged about the room, Hopstein, Brown, Howell, and the others would openly brag to each other and to the other deputies and supervisors, including Sheriff Walters, about the beatings they had administered to Larry Ruffin in an effort to coerce a confession from him.

119. Similarly, after beating Bobby Ray Dixon, Defendants Hopstein, Brown, Howell, and the other deputies would assemble in the jail’s control room. As they lounged about the room, Hopstein, Brown, Howell, and the others would openly brag to each other and to the other

deputies and supervisors, including Sheriff Walters, about the beatings they had administered to Bobby Ray Dixon in an effort to coerce a confession from him.

120. As trustees, some of the jail's inmates were allowed to move more freely around the jail. At times, trustees were present in the control room when the deputies, including Hopstein, Brown, and Howell, talked and bragged about the things they had done to jail inmates and suspects.

121. Specifically, trustees were present on a number of occasions when Hopstein, Brown, Howell, and other deputies bragged about beating Larry Ruffin and Bobby Ray Dixon in an effort to coerce a confession from each man.

122. After Hopstein, Brown, Howell, and the other deputies bragged about beating Ruffin and Dixon, they warned the trustees not to tell anyone what Defendants had just admitted: that the trustees had heard and seen nothing and that they needed to keep their mouths shut.

123. On other occasions, deputies, including Hopstein, Brown, and Howell, beat other inmates and suspects to coerce confessions from them—sometimes in the control room and sometimes in Sheriff Walters' office—and bragged in the control room about beatings they administered to jail inmates and suspects.

124. On more than one occasion, Sheriff Walters was present when his deputies, including Hopstein, Brown, and Howell, beat, threatened, and physically coerced jail inmates and suspects in the jail complex.

Dated: November 10, 2014
New York, NY

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of Plaintiffs' Supplement to the Rule 7(a) *Schultea* Reply was served *via* ECF on November 10, 2014 upon all parties who have appeared on ECF.

/s/ Anna Benvenutti Hoffmann

Anna Benvenutti Hoffmann